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SUBJECT: GREECE/TIP: RESPONSES FOR INTERIM ASSESSMENT FOR SPECIAL WATCH LIST COUNTRIES

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1C. ATHENS 1626

Sensitive but unclassified, please protect accordingly.

Embassy Athens provides the following update, keyed to REF A, on Greece's Tier 2 Watchlist Status:

11. (U) SUMMARIZE THE PROGRESS, OR LACK THEREOF, THE GOG HAS MADE IN DEVELOPING AN EFFECTIVE SCREENING AND REFERRAL MECHANISM FOR LAW ENFORCEMENT AND NGOS TO USE IN IDENTIFYING VICTIMS AND DIRECTING VICTIMS TO APPROPRIATE CARE.

-The GoG is actively negotiating a "Memorandum of Cooperation" (MOC) with 14 NGOs and IOM, which is scheduled to be signed on November 29. The draft MOC, which we have seen, formalizes NGO cooperation with the GoG, and defines the way NGOs should coordinate with the prosecutor's office to obtain the 30-day reflection period for potential victims of trafficking they identify. The draft MOC also recognizes NGO shelters and defines how child victims should be handled. The GoG is working closely with an IOM-affiliated lawyer (and IV grantee) on revisions to the draft based on NGO suggestions.

-The negotiation of the Memorandum of Cooperation is an effort by the GoG to create a more effective screening and referral mechanism for the GoG and NGOs to use to identify victims and direct them to appropriate care. The Ministry of Public Order, which has responsibility for Greek law enforcement, will also be a signatory to the MOC.

-The GoG continues to co-sponsor training seminars and conferences with IOM and NGOs for prosecutors, judges and police to define the TIP problem and educate more officials on their role in how to appropriately screen and refer victims. At least four such conferences or seminars were held in the past six months. The GoG, in cooperation with the International Police Association NGO, has plans for upcoming seminars in ten Greek cities.

-In an effort to increase both public awareness and victim referrals to appropriate care, the Secretariat General for Gender Equality reports that it has produced a public awareness campaign including a multi-lingual information leaflet and a television advertisement which will be aired by the end of the year.

12. (U) SUMMARIZE THE PROGRESS, OR LACK THEREOF, THE GOG HAS MADE IN INCREASING THE NUMBER OF WOMEN REFERRED TO SHELTERS AND AFTER-CARE BY PROVIDING NGOS WITH MORE CONSISTENT AND SUFFICIENT ACCESS TO IMMIGRANT DETENTION CENTERS TO SCREEN AND ASSIST POSSIBLE TRAFFICKING VICTIMS BEFORE THEY ARE DEPORTED.

-The GoG identified 79 victims of trafficking in persons from January 1 - June 30, 2005. Of those 79 victims, 69 were in legal status in Greece and 10 were in illegal status but had deportation orders suspended by a decision of the prosecutor.

The GoG offers shelter and protection to all identified TIP victims, and eleven victims accepted and were granted this protection and aid in shelters. (Note: Two GoG-funded NGO shelters were opened in Athens in October (REF B).) Five victims were repatriated by IOM. 181 victims were identified during 2004.

-The GoG reported that in the first six months of 2005, 22 TIP victims were issued special residence permits.

-As a component of an existing EU-funded project on TIP, IOM reports that it expects to begin screening persons being held in detention centers in Athens and provide legal assistance to victims or potential victims who are found. The GoG reports that the Secretary General of the Ministry of Public Order is considering a request by NGOs to be allowed greater access to detention centers as a part of the MOC.

13. (U) SUMMARIZE THE PROGRESS, OR LACK THEREOF, THE GOG HAS MADE IN SIGNING, MAKING PUBLIC, AND ACTIVELY IMPLEMENTING THE

DRAFT PROTOCOL WITH THE ALBANIAN GOVERNMENT ON CHILD
REPATRIATION.

-The GoG forwarded its final draft of the Greece-Albania protocol on child repatriation to the Government of Albania in September. There has been a slight delay in the completion of the agreement due to the change of government in Albania, but Greek Deputy Foreign Minister Stylianides has expressed willingness to sign the protocol as soon as it is approved by the Albanian Government.

14. (U) SUMMARIZE THE PROGRESS, OR LACK THEREOF, THE GOG HAS MADE IN ACTIVELY IMPLEMENTING THE 2002 ANTI-TRAFFICKING LAW AND SHOWING APPRECIABLE PROGRESS IN CONVICTIONS AND SENTENCES OBTAINED UNDER THIS LAW.

-Based on law enforcement efforts, the GoG filed charges against 162 TIP offenders during the first six months of 2005. 352 offenders were charged during 2004.

-The GoG provided total conviction statistics under law 3064/2002 for the three years since the law entered into force on October 15, 2002. Law 3064 covers trafficking in persons as well as offenses potentially relating to TIP, such as crimes against carnal freedom, pornography, and economic exploitation of carnal freedom. Over the past three years, the GoG reports that 382 cases have been prosecuted under law 3064, 211 court decisions have been issued, in which 284 defendants were found guilty out of 327 total defendants. Nine defendants were exonerated in six cases. Two cases resulted in dismissals. Information was not available about length of sentences or appeals.

-Conviction and sentencing information for 2005 for cases related to trafficking in persons only was unavailable. Anecdotal evidence, however, suggests that few traffickers ever see the inside of a cell. In an October trial in Serres, for example, three traffickers were respectively given 17, 17, and 15 year suspended sentences. Additionally, the defendant in one of the major trafficking convictions of 2004 in Kavala was reportedly released on appeal. We will press the GoG to provide us with qualitative information on prosecutions, convictions and sentences, not just the numbers.

15. (SBU) COMMENT: The GoG continues to take incremental steps to combat TIP by arresting traffickers, opening new shelters, issuing residence permits to victims, holding training seminars and conferences, moving ahead on a Memorandum of Cooperation with NGOs, and considering plans to allow greater NGO and IOM access to detention centers. Outside of the four benchmarks, the GoG has sponsored the creation of a the Ariadne NGO network (REF C), and the creation of a national public awareness campaign. Earnest negotiations over the MOC with NGOs point to a greater willingness by the GoG to cooperate with NGOs. While NGOs have reported that they feel they are now a real part of the GoG's anti-TIP plan, there are still outstanding technical points in the MOC that they are continuing to negotiate. For this reason, we can not yet promise a November 29 signing. Embassy's assessment is that the GoG has made good faith efforts to address TIP since the benchmarks were delivered, but the initiatives described here have not yet made an appreciable impact on TIP trends in Greece. Implementation of the GoG's well-laid plans remains the primary goal for the coming year in every benchmark area, and the only reason to move them off the Watchlist. END COMMENT.

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